

## **ATTACHMENT A**

## Kevin Dooley Kent

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### Federal Equity Receivership Experience

Kevin has significant experience acting as a federal equity receiver or representing receivers in government enforcement actions. Kevin was among the original members, and currently serves on the Board, of the National Association of Federal Equity Receivers (NAFER). He also chairs NAFER's Publications Committee, and serves on its International Committee.

Kevin and his Clark Hill colleagues frequently partner with experienced accounting firms to act as forensic accountants and digital forensic accountants to the receiver. Along with these accounting firms, he and his colleagues bring extensive experience handling receiverships arising out of governmental enforcement actions of similar nature and scope, including receiverships instituted by the SEC and FTC.

Representative examples of Kevin's federal equity receivership practice experience include:

- Kevin serves as receiver in an SEC enforcement action arising from a Ponzi scheme that diverted over \$68 million of investor funds to, *inter alia*, obscure mining, real estate, and other projects, and personal expenses. The scheme was orchestrated with over \$1.6B in transactions through a complex web of corporations. The case, pending in the U.S. District Court for the District of New Jersey before the Honorable Madeline Cox Arleo, involves unique assets throughout the United States and transactions in various overseas jurisdictions, including Hong Kong, England, certain Caribbean countries, Brazil, and the UAE. His duties include tracing and marshalling all assets of multiple entities in receivership, liquidating assets, defending suits and claims brought against those entities, pursuing affirmative litigation claims likely to result in recovery to the receivership estate, and facilitating the dissemination of information and distributions to investors and creditors. *SEC v. Brenda Smith and Broad Reach Capital et al.*, No. 2:19-cv-17213-MCA-SDA (D.N.J.).
- Kevin represented former U.S. District Court judge Louis C. Bechtel in Mr. Bechtel's role as Receiver in an SEC enforcement action against hedge funds, related entities, and an individual who perpetrated a decade-long fraud against investors, recovering approximately \$31 million through several litigations and recovery/liquidation of assets. Distributions of recovered funds achieved a minimum cumulative recovery rate exceeding 80% of victim losses. Upon the close of the receivership and later stages of the case, Kevin served as liquidating trustee for illiquid investment assets that continued to be maintained for the benefit of victims. The case was before The

Honorable John R. Padova of the U.S. District Court for the Eastern District of Pennsylvania. *SEC v. Donald Anthony Walker Young et al.*, 2:09-cv-01634-JP (E.D.Pa.).

- Kevin was appointed by the Honorable Gene E.K. Pratter as the receiver's lead counsel in an FTC action in the U.S. District Court for the Eastern District of Pennsylvania against entities in the technical support industry who misrepresented their services to tens of thousands of customers who paid at least \$17.9 million for the fraudulent services. *FTC, Connecticut Attorney General and Pennsylvania Attorney General v. Click4Support, LLC et al.*, 2:15-cv-05777-GEKP (E.D.Pa.).
- Kevin served as lead counsel to the receiver in an action brought by the FTC, in the U.S. District Court for the Western District of New York, against entities and individuals in the debt collections industry found to be conducting business in violation of the Fair Debt Collections Act (FDCA) and related state statutes. The FTC determined that over \$8 million was collected by the agencies from individual consumers using unlawful practices. The receiver's team worked in conjunction with the government to assess the nature of the agencies' practices; halt all collection activities; manage the remaining operations of the agencies; handle a variety of employment, payroll, and tax issues; collect, analyze, and respond to a variety of claims made against the agencies; and worked with forensic accountants to recover and maximize the assets of the receivership. *FTC and New York v. National Checks Registry, LLC et al.*, No. 2014-CV-490-A (W.D.NY).

A rate structure for the proposed receivership team from Clark Hill and from the forensic accounting firm Alvarez and Marsal Disputes and Investigations is included on page 5.

### **Litigation and Transatlantic Practice Overviews**

Kevin prides himself on deftly guiding his clients through litigation, disputes, and regulatory actions while also working closely with them to identify and minimize future risk exposure. Clients seeking Kevin's counsel vary from a broad spectrum of industries, including water and public infrastructure, real estate development, life sciences, financial services, casino gaming, and government.

Kevin works to best position clients for unavoidable litigation while zealously representing them through the life of the matter. He also focuses on advising clients on risk management and identifying proactive steps to avoid litigation in high legal exposure industries. In addition to his receivership-related work, he represents companies in matters involving civil fraud, director and officer liability, and government civil enforcement actions and related internal investigations; and C-Suite executives in contract disputes. Much of Kevin's risk management work involves advising private companies and government entities on privatization proposals, federal and state funding, and risks inherent in the interaction between public entities and the private sector. Kevin serves as a mediator in complex

commercial disputes, assisting parties to resolve their differences or narrow them prior to or during litigation.

Kevin is licensed as a solicitor in Ireland, as well as in England and Wales. Kevin is Chair of Clark Hill's Transatlantic Practice and the liaison between the firm's U.S. offices and its Dublin office. He serves on the Board of the Irish American Business Chamber and Network, which promotes the development of economic relationships between the United States, Ireland and Northern Ireland. Kevin also serves as a director of Clark Hill Public Strategies.

## Recognitions

- Chambers USA (2022-2024)
  - *\*This award is conferred by Chambers and Partners. A description of the selection methodology can be found at <https://chambers.com/about-us/methodology>. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
  - *\*This award is conferred by Martindale-Hubbell. A description of the selection methodology can be found at [www.martindale.com/ratings-and-reviews](http://www.martindale.com/ratings-and-reviews). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- Named among The Best Lawyers in America® for Commercial Litigation (2016–2025)
  - *\*This award is conferred by Best Lawyers. A description of the selection methodology can be found at: <https://www.bestlawyers.com/methodology>. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- Named among the Top 100: Philadelphia Super Lawyers List (2019-present)
  - *\*This award is conferred by Super Lawyers, part of Thomson Reuters. A description of the selection methodology can be found at: [https://www.superlawyers.com/about/selection\\_process\\_detail.html](https://www.superlawyers.com/about/selection_process_detail.html). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- Irish America Legal 100 Honoree (2016-2022); Irish America Business 100 Honoree (2016-2019).
- Named among Pennsylvania Rising Stars by Thomson Reuters (2008, 2010-2011)
- Named among Pennsylvania Super Lawyers by Thomson Reuters (2012-2024)
  - *\*This award is conferred by Super Lawyers, part of Thomson Reuters. A description of the selection methodology can be found at: [https://www.superlawyers.com/about/selection\\_process\\_detail.html](https://www.superlawyers.com/about/selection_process_detail.html). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

**Education:** Vanderbilt University Law School, J.D. - Juris Doctor | Boston College, B.A. - Bachelor of Arts, cum laude

**Bar Licenses:** New Jersey | Pennsylvania | Ireland | England & Wales

**Court Admission:** U.S. District Ct., District of New Jersey | U.S. Court of Appeals, Federal Circuit | U.S. Bankruptcy Ct., W.D. of Pennsylvania | U.S. District Ct., E.D. of Pennsylvania | U.S. Supreme Court | U.S. Court of Appeals, 3rd Circuit | U.S. Court of Appeals, 11th Circuit

**Memberships:** National Association of Federal Equity Receivers (NAFER), Board of Directors; Publications Committee Chair; International Committee, Member | Irish American Judicial Institute, Trustee | Global Interdependence Center Central Banking Series Dublin, Ireland Conference, Planning Committee | Irish American Business Chamber & Network, Board Member; Government and Economic Development Liaison; Chairman (past); and President (past) | INSOL International, Member | Philadelphia Diversity Law Group, Member, Board of Directors (2017-2019) | Philadelphia Bar Association | Delaware County Bar Association | Law Society of Ireland | Legal Lean Sigma – Yellow Belt Certified | Boston College Alumni Association | Vanderbilt Alumni Association | LaSalle College High School Alumni Association | Law Society of England & Wales

**For full biography:** <https://www.clarkhill.com/people/kevin-kent>

**RECEIVER AND PROFESSIONAL RATES**

<b><u>Receiver</u></b>	<b><u>2024 Rate</u></b>	<b><u>% Discount and Rate</u></b>	
Kevin Dooley Kent	\$850	15	\$722.50
<b><u>The Law Firm</u></b>			
Senior Counsel (Megan Guernsey)	\$745	15	\$633.25
Senior Attorney (Robin Weiss)	\$625	10	\$562.50
Associates	\$325-\$485	10	\$292.50-\$436.50
Paraprofessional	\$300	10	\$270
<b><u>The Accountant</u></b>			
Managing Director (Michael Shanahan)	\$1150	35	\$750
Managing Directors	\$1150	26	\$850
Senior Director	\$965	34	\$635
Director	\$800	28	\$575
Manager	\$695	29	\$490
Sr. Associate	\$615	27	\$450
Associate	\$560	38	\$350